

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x  
UNITED STATES OF AMERICA :

- v. - :

MICHAEL HARDY,

Defendant.

- - - - - x

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: JUN 11 2008  
DATE FILED: JUN 11 2008

INFORMATION

08CRIM 526

COUNT ONE

The United States Attorney charges:

1. From at least in or about 2007, up to and including in or about March 2008, in the Southern District of New York and elsewhere, MICHAEL HARDY, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that MICHAEL HARDY, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one thousand kilograms and more of mixtures and substances containing a detectable amount of marijuana, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 846.)

JUDGE  
JUDGE

**FORFEITURE ALLEGATION**

3. As a result of committing the controlled substance offense alleged in Count One of this Information, MICHAEL HARDY, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

**Substitute Assets Provision**

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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08 Cr.

(Title 21, United States Code,  
Section 846.)

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MICHAEL J. GARCIA  
United States Attorney.

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6/1/2008 FILED WAIVER OF INDICTMENT AND INFORMATION. DEF PLEAED NOT GUILTY ON INFORMATION. DEF PLEADS GUILTY TO INFORMATION. SENTENCE DATE 12/12/2008 AT 9:30AM.  
PSI ORDERED. BAIL CONF'D.

-JUDGE HOGREFL